



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bell, Yvonne) Attorney Docket No.: JHM810
Serial No.: 09/774,807)
Filed: February 1, 2001) Group Art Unit: 3626
Title: Lifenet) Examiner: Gilligan, C. Luke

DECLARATION OF YVONNE FITZPATRICK

As the above named inventor, I hereby declare that:

It is my understanding that I gave a power of attorney in the above reference application to Mr. Joseph McGlynn.

On November 8, 2005, I revoked Mr. Joseph McGlynn's power of attorney in the subject application by a written document. In that revocation of his power of attorney, I expressed that it was NOT my intention to abandon the subject application.

It is my understanding that a copy of the revocation of Mr. Joseph McGlynn's power of attorney was filed in the subject application on November 9, 2005.

It is my understanding that the files of the subject application show that the Patent Office sent no papers in the subject application to my home address after I revoked Mr. McGlynn's power of attorney, nor did I ever receive any papers directly from the United States Patent Office.

Instead, it is my understanding that the files show that the Patent Office continued to send correspondence to Mr. Joseph McGlynn. Neither Mr. McGlynn, nor anyone else, provided me with copies of any documents from the subject application (or even an explanation of such documents) from between November 9, 2005 and before December of 2008.

I was not surprised by the lack of correspondence as I am unfamiliar with Patent Office procedure, but only knew it took the Patent Office over four years after the patent was applied for to receive the first office action.

Between August 24, 2005 and November 24, 2005, I did not know that my application would go abandoned if I did not file a response by November 24, 2005, nor did I know that a response needed to be filed by that date. Although I did not understand the rules regarding priority of applications, I recall being told that my subsequent application (that I was told was a continuation-in-part) did not need to be filed until sometime in December of 2005.

Between November 24, 2005 and February 24, 2006, I did not know that my application would go abandoned (on November 25, 2005) if I did not file a response, a request for time, and an appropriate fee before February 25, 2006, nor did I know that was the latest opportunity to file a response.

Between February 24, 2006 and December 2008, I did not know that my application had gone abandoned on November 25, 2006 for failure to file a response, nor did I know that a response needed to be filed long ago.

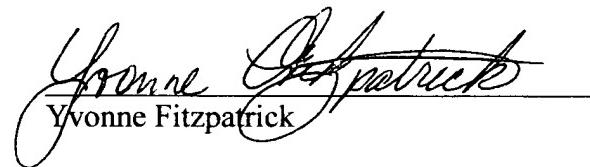
On October 2, 2008, when I signed a power to inspect the subject application, I did not know that my application had gone abandoned on November 25, 2006 for failure to file a response.

In December of 2008, I had a conversation with Donald Moyer where I learned for the first time that the subject patent application was considered abandoned and that a response needed to be filed long ago.

Between the date I had such conversation with Donald Moyer and December 15, 2008, when the original petition was filed, I discussed the situation with Mr. Moyer and Ms. Miri Yoon to see what could be done and to provide whatever information I could.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 22nd Day of October, 2009 at Streamwood, Illinois.



The image shows a handwritten signature in black ink. The signature reads "Yvonne Fitzpatrick". Below the signature, the name "Yvonne Fitzpatrick" is printed in a smaller, standard font.